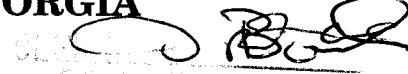


UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA

SAVANNAH DIVISION

R. 58

CLERK'S OFFICE
S. D. Ct. of GA.

LEVAN ROUNDTREE, III,)
)
Plaintiff,)
)
v.) Case No. CV405-121
)
OFFICER SAMMONS and)
SAVANNAH METROPOLITAN)
POLICE DEPARTMENT,)
)
Defendants.)

REPORT AND RECOMMENDATION

On July 26, 2005, this Court granted plaintiff leave to proceed *in forma pauperis* on the condition that she return a Prisoner Trust Account Statement form and a Consent to Collection of Fees from Trust Account form within thirty days of the order. The Court warned plaintiff of the substantive changes brought about by the Prison Litigation Reform Act and acknowledged her ability to voluntarily dismiss her case pursuant to Fed. R. Civ. P. 41(a)(1). Plaintiff has not yet returned the required forms to proceed *in forma pauperis* and no defendants have been served with process. By letter executed August 17, 2005, plaintiff indicates that she

would like her case to be dismissed. Accordingly, the Court recommends that this case be DISMISSED WITHOUT PREJUDICE.

SO REPORTED AND RECOMMENDED this 23rd day of August, 2005.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

United States District Court

Southern District of Georgia

Levan Roundtree, III

_____)

vs

) CASE NUMBER CV405-121

Officer Sammons, et al.

) DIVISION Savannah

The undersigned, a regularly appointed and qualified deputy in the office of the Clerk of this district, while conducting the business of the Court for said division, does hereby certify the following:

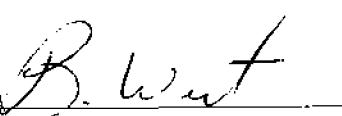
1. Pursuant to the instructions from the Court and in the performance of my official duties, I personally placed in the United States Mail a sealed envelope, and properly addressed to each of the persons, parties or attorneys named below; and
2. That the aforementioned enveloped contained a copy of the document dated 8/24/05, which is part of the official record of this case.

Date of Mailing: 8/24/05

Date of Certificate same date, or _____

Scott L. Poff, Clerk

By: _____


Deputy Clerk

Name and Address _____

Levon Roundtree 1050 Carl Griffin Drive Savannah, GA 31405

- Copy placed in Minutes
 Copy given to Judge
 Copy given to Magistrate